

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

GARY ADDIVINOLA, )  
                        )  
Plaintiff,         ) CIVIL ACTION  
v.                    ) NO. 03-12476-JGD  
                        )  
HOME DEPOT U.S.A., INC., )  
                        )  
Defendant.         )

**SCHEDULING ORDER**

Following a status conference held today in accordance with Fed. R. Civ. P. 16(a) and Local Rule 16.1, it is hereby ORDERED as follows:

1. The discovery schedule set by order dated March 8, 2004 is modified as follows:
  - a. Fact discovery shall be concluded by **November 30, 2004**;
  - b. The parties shall provide their Fed. R. Civ. P. 26(a)(2) disclosures with respect to proposed trial experts no later than **November 30, 2004**;
  - c. The parties shall produce their proposed trial experts for deposition no later than **December 30, 2004**; and
  - d. Dispositive motions shall be filed no later than **January 1, 2005**.
2. The next status conference is scheduled for **Monday, November 29, 2004, at 10:00A.M.** At that time, the parties shall be prepared to discuss:
  - a. The status of the case;
  - b. Scheduling for the remainder of the case through trial;

- c. Use of the court's alternative dispute resolution (ADR) program.
3. The parties shall submit a brief joint statement no later than five (5) business days before the conference addressing the issues itemized in paragraph (2) above. With respect to item 2(c), the parties shall indicate whether an agreement has been reached, but are not obligated to identify their respective positions.

/ s / Judith Gail Dein  
Judith Gail Dein  
United States Magistrate Judge

DATED: September 23, 2004